REMARKS/ARGUMENTS

Claims 25-36 and 38-47 were pending in this application. Claims 26-28 have been amended. Therefore, upon entry of this amendment, which is respectfully requested, claims 25-36 and 38-47 will remain pending.

Claims 26-28 were rejected under 35 USC §112, second paragraph, as being indefinite. In particular, it was stated that "the first communication network" as recited therein lacks antecedent basis. Responsive to this rejection, these claims have been amended to recite "the communication network" in conformance with independent claim 30, from which these claims depend.

Claims 25-36 and 38-47 have been rejected under 35 USC §102(e) as being anticipated by Wolf *et al.*, U.S. Patent No. 6,463,508 (hereinafter "Wolf").

Wolf is directed to a system and method for caching media streams at proxy servers (proxies). If only a portion of a media stream is cached in the proxy server when the stream is requested, the remaining segments are prefetched from a content server or another proxy server. Thus, upon receipt of a media request, the proxy can immediately serve the request using the segments cached, and compose and issue a prefetch request to obtain the remaining blocks for segments which are not currently cached. The proxy that issued the prefetch request waits for the requested segments and then itself sends the received segments to the requesting client.

It is respectively asserted that Wolf fails to teach or suggest the limitations of the pending claims. For example, Wolf fails to teach or suggest the limitation of "sending a synchronization message from the first controller device to the second controller device," or the limitation of "in response to the synchronization message, transferring the second block of data directly to the first client device from the second controller device" as recited in claim 30. To the contrary, Wolf teaches that a first proxy device sends all segments for a requested media object to the requesting client device. This is clear from the following excerpts:

> "... when a request for a partially cached object is received, the proxy server may start to deliver the media object (step 540) as

> shown in FIG. 5. At the same time, it may compose a prefetch request to get the missing segments (step 530) as shown in FIG. 5, **and buffer them in local storage when received** (step 435, in FIG. 4)" (Wolf - column 5, lines 15-20; emphasis added).
>
> "If block i is available in the local storage, then the process returns to step 610 to deliver that block. If block i is not available in the local storage, then at step 635, **the proxy waits for the i^{th} block to arrive before returning to step 610**" (Wolf - column 5, lines 38-42; emphasis added).

Thus, where the first proxy does not have a locally cached copy of a segment, the first proxy may send a prefetch request to another (second) proxy. However, the second proxy sends the requested segment(s) back to the requesting proxy, and the requesting proxy then sends the segment(s) to the requesting client. The second proxy does not send the requested segment(s) to the requesting client. Therefore, Wolf does not teach or suggest "transferring the second block of data directly to the first client device **from the second controller device**" as is recited in the claims (emphasis added).

Based on similar reasoning, it is clear that Wolf fails to teach or suggest the limitation of "sending a synchronization message from the first controller device to the second controller device" as recited in claim 30. Rather, Wolf teaches sending a prefetch request from a first proxy to a second proxy, however, the prefetch request is a request to send segment(s) back to the first proxy and is not a synchronization request resulting in segment(s) being sent directly to the client that requested the media stream.

The recited limitations in claim 30 are directed to an aspect of the invention whereby data is provided to a requesting client device by multiple (*e.g.*, two or more) controllers operating in parallel, for example, as described in the specification beginning at page 22, line 5 through page 23, line 33. Such aspects provide advantages over the prior art, including Wolf, such as increasing the amount of concurrent streaming requests deliverable at any given time.

Applicant, therefore, respectfully requests withdrawal of the rejections of independent claim 30 in view of Wolf for at least the above reasons, and of all claims depending therefrom based at least on their dependency from claim 30.

Similarly, Wolf fails to teach or suggest the limitation of "controlling, by the first controller device, the delivery of the requested streaming data directly to the first client device over the data communication network **by both the first controller device and a second controller device**" (emphasis added) as is recited in claim 39. Again, Wolf teaches that a first proxy sends a request to a second proxy, but that the second proxy responds only to the first proxy with requested media segment(s), and not to a client that requested the media stream.

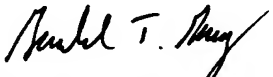
Applicant, therefore, also respectfully requests withdrawal of the rejections of independent claim 39 in view of Wolf for at least the above reasons, and of all claims depending therefrom based at least on their dependency from claim 39.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



Gerald T. Gray
Reg. No. 41,797

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 925-472-5000, Fax: 415-576-0300
GTG:sea
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